

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

PETER F. GAITO ARCHITECTURE, LLC d/b/a
PETER F. GAITO AND ASSOCIATES,

Plaintiff,

— against —

SIMONE DEVELOPMENT CORP., SIMONE
CHURCH STREET LLC, JOSEPH SIMONE,
THOMAS METALLO, SACCARDI & SCHIFF,
INC., TNS DEVELOPMENT GROUP LTD.,
and SLCE ARCHITECTS, LLP

ORDER AND
STIPULATION

08 Civ. 6056 (WCC)
ECF CASE

Defendants.

X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel, as follows:

1. The law firm of Collier, Halpern, Newberg, Nolletti & Bock, LLP, counsel
for defendants Simone Development Corp., Simone Church Street LLC, Joseph
Simone, Thomas Metallo, and TNS Development Group LTD., (hereinafter collectively
the "Simone Defendants") hereby agrees to accept service of Plaintiff's Summons and
Complaint on behalf of the Simone Defendants and waives any defenses of personal
jurisdiction and service of process as regards the Simone Defendants.

2. The Simone Defendants shall serve their answer to the Plaintiff's
complaint on or before August 22, 2008 or if the Simone Defendants move with respect
to the Plaintiff's complaint, such other subsequent date as the Court may direct. If the
Simone Defendants intend to move, they must provide notice to the Plaintiff in writing on

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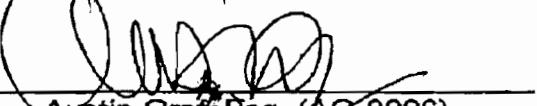
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COPIES MAILED TO COUNSEL OF RECORD for Simone ^{AS} _{AS}
AND E-MAILED TO OTHER COUNSEL OF RECORD

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writing on or before August 22, 2008.

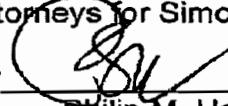
Dated: White Plains, New York
July 18, 2008

THE SCHER LAW FIRM, LLP
Attorneys for Plaintiff

By: 

Austin Graft, Esq. (AG-0096)
One Old Country Road, Suite 385
Carle Place, New York 11514
(516) 746-5040

COLLIER, HALPERN, NEWBERG,
NOLLETTI & BOCK, LLP
Attorneys for Simone Defendants

By: 

Philip M. Halpern, Esq. (PH-2658)
A Member of the Firm
One North Lexington Avenue
White Plains, New York 10601
(914) 684-6800

SO ORDERED: Dated: White Plains, NY
July 21, 2008

William C. Conner

Hon. William C. Conner, U.S.D.J.

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